

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



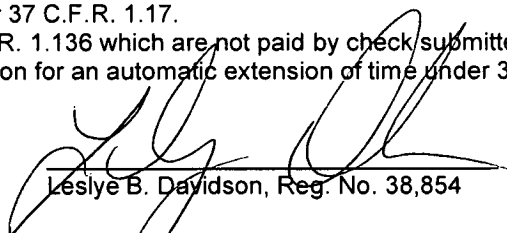
9FW
Docket No.: 174.1041
Date: December 11, 2008

In re application of: **Hasdi MATARASSO**
Serial No.: 10/516,838
Filed: May 23, 2005
For: **CELLULAR CUSHIONED MATERIAL**

Sir:

Transmitted herewith is a **Response to Notice of Non-Compliant Amendment (1 page)** in the above-identified application.

- ☒ Also transmitted herewith are:
- ☐ Petition for extension under 37 C.F.R. 1.136
 - ☒ Return receipt postcard
 - ☒ Other: Appendix A: Two Annotated Sheets of Drawings (2 pages); and Appendix B: Two Replacement Sheets of Drawings (2 pages).
- ☐ Check(s) in the amount of \$ is/are attached to cover:
- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
 - ☐ Petition fee for extension under 37 C.F.R. 1.136
 - ☐ Fee set forth in 37 C.F.R. §1.17(p)
 - ☐ Other:
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
 - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 C.F.R. 1.136.


Leslye B. Davidson, Reg. No. 38,854

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "First Class Mail" with sufficient postage in an envelope addressed to Mail Stop: AMENDMENT, "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 11, 2008.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
Alexander M. Whyte



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Hasdi MATARASSO
Serial No.: 10/516,838
Filed: May 23, 2005
For: **CELLULAR CUSHIONED MATERIAL**
Examiner: Donald J. LONEY
Art Unit: 1794
Customer No.: 23280
Attorney Docket: 174.1041

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 11, 2008

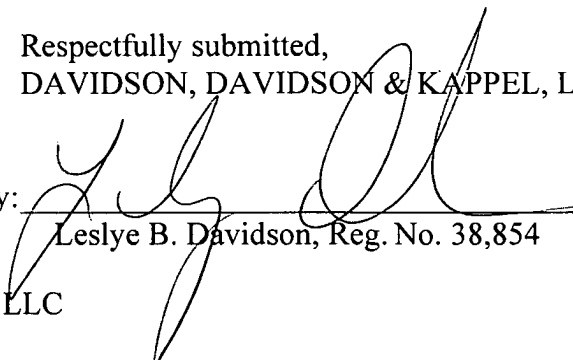
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Complaint Amendment dated November 12, 2008, enclosed please find two (2) sheets of replacement drawings (Figures 3 and 4) and two (2) annotated sheets of drawings (Figures 3 and 4) properly identified in the top margins as "Annotated Sheet" and "Replacement Sheet". Please note that no changes were made to Figures 1, 2, and 5 in the Response to Office Action dated October 20, 2008, but were provided as a courtesy.

It is believed that no additional fees are due for this submission. If any additional fees are due or if any fee has been overpaid, the Commissioner for Patents is hereby authorized to charge said fees or credit any overpayments to Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Leslye B. Davidson, Reg. No. 38,854

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue
New York, New York 10018
(212) 736-1940